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320.40246X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): POHS, et al  
Serial No.: 09/869,032  
Filed: June 22, 2001  
For: DEVICE FOR PERSONAL IDENTIFICATION  
International  
Application No.: PCT/EP99/10385  
International  
Filing Date: December 23, 1999  
Attention: PCT Branch

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Commissioner for Patents July 31, 2001  
Washington, D.C. 20231

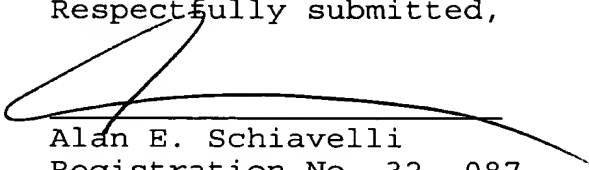
Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) dated July 26, 2001, applicants are submitting herewith an executed Declaration. In addition, a payment in the amount of \$130.00 to cover the required surcharge for filing the declaration is also attached, in accordance with 37 CFR 1.492(e).

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account

No. 01-2135 (320.40246X00) and please credit any excess fees  
to such deposit account.

Respectfully submitted,



Alan E. Schiavelli  
Registration No. 32, 087  
ANTONELLI, TERRY, STOUT & KRAUS

AES/gfa  
Attachments  
(703) 312-6600



U.S. APPLICATION NO. 09/869032	FIRST NAMED APPLICANT POHS	ATTY. DOCKET NO. 320.40246.X0
INTERNATIONAL APPLICATION NO. PCT/EP99/10385		
DONALD E STOUT ANTONELLI TERRY STOUT & KRAUS SUITE 1800 1300 NORTH 17TH STREET ARLINGTON, VA 22209		I.A. FILING DATE 23 DEC 99
		PRIORITY DATE 23 DEC 98
		DATE MAILED: <b>26 JUL 2001</b>

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.  |  |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation